

A roundtable was held to share Tribal Nation information on options for improving telecommunication capability in their community or on specific program applications. This session was followed by a group discussion. This transcript section contains edited remarks from the following program presenters:

- **Kathy Hughes**, Treasurer, Oneida Tribe of Indians of Wisconsin
- **Theresa Hopkins**, Agency Networks Program, Navajo Nation
- **William Nakai**, Director of General Services, Navajo Nation.
- **Ronnie Neiss**, Member Rosebud Utility Commission and Council (Substitute for Pat Spears)
- **Barbara Leitchfield**, Century Tel representative to the Confederated Colville Tribes
- **Paulette Hansen**, Executive Director, American Indian Information Network
- **Nora Helton**, Chair person of the Fort Mojave Indian Tribe
- **Jerry Norland**, MIS Director for Telecommunications Data and Telecommunications, Hopi Tribe

MS. HUGHES: My name is Kathy Hughes. I'm the treasurer for the Oneida Tribe of Indians of Wisconsin. We're located in Green Bay, Wisconsin. Actually, Green Bay flows over into our boundaries, so we consider them part of the reservation. We are a perfect 65,000 acres held in a checker-board pattern, so we've got the Indian, non-Indian, trust, and fee lands. Our population is almost 14,000 enrolled members, of which about 5,000 lives within the reservation service areas. Another approximately 4,500 live within the Wisconsin boundaries.

Oneida is the State of Wisconsin's second largest employer in people. We are a gaming Tribe, which probably is logical, when you have that large of an employment base. 96 percent of our revenue is generated from the gaming operation. One focus of the legislative body, which is the Oneida business committee, has been to diversify our economy so we're not totally reliant on gaming revenues.

Our diversification has led us into the high-tech field of investment. Today, we have two flagship investments -- the Oneida Nation Electronics, a circuit board assembly-type operations, and Airadigm Communications -- which is the one that I'm here to speak to you about this afternoon.

In 1995, the Federal government placed some radio spectrums up for sale through an auction. Primarily, your major companies, AT&T, Sprint, Pac Bell and Bell South were bidding for those spectrums, but they did have a set aside for minorities and Tribal governments.

Oneida took advantage of this opportunity, and formed a 50/50 partnership with some local investors who already had a communications firm, and we put our bid in for a spectrum. Our bid was successful and we obtained 13 licenses within the state of Wisconsin, and one in a small area, northeast section of Iowa. It cost us about \$72 million, but it was a successful project.

Basically we won the licenses to all the secondary markets in the state of Wisconsin. We did not bid on Milwaukee, a major metropolitan area, because of the density of the population and additional costs to compete in that market.

Oneida considers its rural for our economic planning. However, based on this morning's discussion I think that this rural definition is really too narrow for us.

We have multiple services accessible to our Tribe and its who live within the reservation. We looked at Personal Communication Services (PCS) from a diversification standpoint to grow into the future. We

think that that Airadigm Communications a PCS company will help us enhance the benefits to our members, as well as grow globally.

We did look at owning some telephone companies and acquisitions. Because we have such a large area, and there were so many existing services that owning own telephone company place us in a in non-competitive position. Instead we invested with a the communications system of the future that we think is the next -- the next level up from wire line and wireless communications.

There were some benefits internally and externally. Some internal benefits derived through this wireless service investment are 1) the ability to have an more efficient with the mobile work force such as with a police department; 2) an opportunity to be in the forefront of mobile data and voice communications; 3) the involvement in wireless development discussions and 4) And then there's just the general pride in owning and operating a company that's going to be competing with Fortune 500 companies

We participate, in the development discussions, I believe through an advisory council, with any regulations that are being proposed or developed. We know what equipment is being developed out there, the prototypes..

As treasurer, my interest in this whole project is return on investment. I believe this is a project that could replace almost exclusively the gaming operations, as we go into the future. And that's really my bottom line of my interest in PCS.

Second is the technology itself, why we're going outside the reservation, and looking at the future We believe that analog technology and wire line and wireless services is obsolete. So, telephone companies, you do have to do something to address that now, but if you're going to really look at the 21st century, you need to move on, I believe, to digital, and forget analog systems.

PCS has allowed us to get into wireless communications at the forefront of development, as I stated. We chose GSM, Global Systems for Mobile Communications. We chose that system because it has a better voice quality, secure wireless transmissions, and is the most advanced data research and development to date.

However, those were not really the important factors for choosing it. We choose it because it's part of a worldwide global alliance. It's the only worldwide technology, and it's the fastest-growing, with more than 70 million users in 110 countries. This also allows us to work with some major companies such as Ericson, Nokia, and Motorola, who are developers of the wireless future in the global market.

Our culture and Tribal cohesiveness is of paramount importance to us. We realize that we have now become part of a global marketplace, and if we are to maintain our other priorities in the generation ahead, then we must maintain knowledge of technologies and capabilities that we're going to need in the future.

One of our philosophies is that we make a decision based on the next seven generations, which I know most of you are probably familiar with. We think this is a seven-generation decision.

And the third reason why we look for an economy that would move beyond the reservation was to improve the infrastructure within the reservation itself.

And as I stated, we don't have the police force on yet, but we are utilizing some of the wireless connections within the reservation with DPW and our management staff. We've actually got 200 digital wireless phones deployed on the reservation as of today.

This has reduce our reliance on local companies and cellular companies. We've been able to provide better services with Airadigm, and the prices are reduced from what we were paying to the local companies.

We hope to integrate the data benefits of the technology into the police department soon. It's within a matter of months, but I'm not quite sure how quickly they're moving along. Eventually, we will have virtually a community within a community, which will yield us even greater efficiencies.

Carl Artman will speak to you tomorrow morning. He'll have more specifics on the system itself. I know a lot of you have cellular phones. What I like about the PCS phone is that it has so many capabilities for voice mail. It can replace your pager, if you carry a pager. It can be an E-mail process, a message center, along with regular telephone service. And we're also going to the point where it could replace your home phone. Your business phone and your home phone could all be the same, and it will be able to distinguish your residential calls from your business calls.

That's where we're going in the future, and I hope there aren't any questions right now. I think we're going to go on. Yes, sir?

MR. JUNE: Don June, Mille Lacs Band. Did this auction take place a year and a half ago

MS. HUGHES: '95.

MR. JUNE: If you weren't involved in that bidding, how can you get into the PCS system?

MS. HUGHES: We were in the bidding. We entered the bidding in 1995. There was a hold-up there for a little while, because they didn't have the regulations for how we could enter into the auction process with the FCC, but we did join forces with another local firm, and entered into the auction.

MR. JUNE: So how can a Tribe get into that?

MS. HUGHES: I don't believe that's possible any longer.

MS. HANSEN: Tomorrow's agenda includes the FCC Wireless Bureau Chief and a panel of wireless companies. They will explain the spectrum buying process, upcoming auctions and how existing companies are willing to sell or lease a portion of their FCC licenses.

MS. HOPKINS: Yataheh, and good afternoon. I'm Theresa Hopkins with the Navajo Nation. The Navajo Nation has directed some of its telecommunication work through its Tribal Council. The Council in 1992 wanted to provide as much service as possible outside of Window Rock to the community level.

The reason for the community initiative is that all the financial transaction processing is done centrally in Window Rock. Some Tribal member were driving three or four-hour distance one way to pick up payroll checks every two weeks. A community-based system would eliminate that drive.

The Navajo Nation has invested money into building an infrastructure, basically, through its the existing phone company Navajo Communications. Today, we have point-to-point data services going from Window Rock out to six major locations. Also the entire legislative and judicial branches of the Tribal government are connected centrally and administratively in Window Rock to all of the major agency townships.

The only branch that hasn't been moved out is the executive branch. Mainly, because it is the biggest branch of the Tribal government with a number of different funding sources and as such they have different priorities on how monies are spent. So, it's a little more difficult to work with them in trying to get services out to the community.

The Nation has gone even further. This year they passed a law called the Local Governance Act. The Local Governance Act states that all services that can be moved from Window Rock should go to the agencies and where possible to the Chapters. We have 110 Chapters located throughout the reservation. Again, the first step is to connect at agency offices and then later the Chapter Houses. This way at least the driving time is cut from four hours to Window Rock down to an hour to the agencies.

The Navajo Nation also an Internet site - <http://www.navajo.org> The website was developed by college students and high school students, and Tribal employees. So you will see a lot of website background done by local artists, photographers, and the youth.

The Navajo Nation has put together different organizations to push for improved telecommunication services from the local phone company. For instance, there's an education technology consortium composed of public schools to push the E rate under the Schools and Libraries federal discount program.

Another group is called fibercom group to push for more fiber on the reservation. So far, fiber goes from a central location to five agency sites. Since fiber has bypassed our smaller communities, the fibercom group is working with companies such as US West and AT&T to coordinate and run fiber through the reservation. There is a discussion that the Navajo Nation will require improved service before it grants right of way access to these companies. This helps us because the existing phone company cannot afford to lay fiber because of the high costs.

Another initiative is with Crown Point Institute of Technology to develop a curriculum. Instead of going to Albuquerque or Phoenix to get certified, say, for Microsoft or Novell, we can train locally. We want to do as much as we can on Navajo and rely less and less on the outside. We have a lot of Navajo technical people that can do the job. The only problem is that we haven't asked them yet for help. They usually stay in the background, but when you asked they usually help.

This big push requires persistence, persistence, persistence. I don't know how many times I've gone to meetings and said the same thing over and over and over. Finally, after five years, we're finally being called back again

Another good factor about pushing the legislature into really realizing that this is a problem on Navajo, maybe not so much putting a phone in every home. The goal is to put services out within the outlying communities, so a community or Tribal member can go to a certain location to get services. There are a lot of families, Navajo Tribal members, that would rather have electricity and water first, before they have a telephone in their home.

The community plays a big part because they are voting members of the Tribal government. So we try to go out and do one-on-one interaction with the community members. We attend chapter meetings, and push the importance of having improved telecommunications in all areas, whether it be phone services, utility, or whatever. This year is the very first time I've actually had council members come to me and say, "Well, this is the situation in my community. What can I do to improve services out there?"

Mr. Nakai will be talking about some other things the Navajo Nation is doing. Right now it is looking at the possibility of building its own phone company or maybe being a partner with the existing phone company on Navajo. The assessment has been done, and I believe pretty much the bottom line assessment says, yes, you can do it. It's just a matter now of whether we're willing to go and take the next step to do that.

UNIDENTIFIED ATTENDEE: You said that AT&T is talking about doing fiberoptic in exchange for some services. Is their objective to bring you the services, or are they trying to reach another market on the other side of the reservation?

MS. HOPKINS: They're trying to reach another market -- from Albuquerque to the City of Durango. Now they're using microwave and going outside the reservation, and it's costing them more money. They are saying if we can just cut through the eastern part of the reservation to get to the other side, we'll give this back to you.

UNIDENTIFIED ATTENDEE: Do you tax any of the utilities there? Are you taxing them?

MS. HOPKINS: Yes. There is a tax right now.

MR. NAKAI: Yataheh. My name is William Nakai,. (Speaks in Navajo language) In Navajo, they always instruct us to communicate. We have to communicate and let others know who we are, what family we belong to, and by that, everyone figures, well, there's my brother, there's my sister, and there's my dad, or there's my grandpa.

Communication, certainly, is a major concern for the Navajo Nation. I visited with our president yesterday. We have a new president every so often. The general message is, the service must go forward. It must go on. Realizing the current developmental structures within the Nation, and looking at what available services there were, as well as, also, looking at what equipment the Nation has access to, and then, based on those determinations, and making those reviews, what are the options?

The bottom line to all of it, as I had heard by one of the panelists, is economics. Is it feasible? The Nation has taken on a feasibility instrument, and began the process. As you may all know, you look at a feasibility offering to see if you can or want to afford it

The Navajo Nation currently is covered, in terms of telecommunication, by one firm, and that's Navajo Communications. In our dialogue with our current telephone company, we basically asked, when was the last time we had a good deal? And conversely, we heard, we have a monopoly. And certainly, anyone who suggests they have a monopoly, or price control as it is translated to the customer.

Well, in this case, the Navajo Nation is the largest customer, and certainly probably will be the case in any circumstance. Subsequently, the same question arises. When did we have our last big deal? Right

now, the Nation is not only concerned with the fiberoptics but also with some digitalization that has been instituted and wireless application.

Communication on Navajo represents the entire range. As you know, we have a large reservation. We have a large population base, and big need for that service in all areas. Everything from data communication to the old telephone communication to radio communication -- the whole works.

The existing company, Navajo Communications is not owned by the Navajo Nation. It is owned by its citizens. Subsequently, our question, "When was the last time we had a good deal?" was appropriate. One of the things that was brought out was that the Nation's Tribal Council and the grandmas and the grandpas across the reservation had been waiting for a telephone installation. While on the other hand, were saying we're tired of those old trees that are without limbs, without ability to cast a good shadow.

What if they decide that they wanted all of those elements removed, and what if the Nation said, "The only way that we could go is with the wireless application."

It certainly suggests a very peculiar situation. What are the capabilities in the industry today to afford the Nation the very same service demand that it has always had? Is the wireless possibilities really the way to go?

All in all, our response to the bottom line, was a marginal yes. The feasibility says yes, the Nation can proceed in its review of whether it wants to take over the telephone service, if you will, the telecommunication, as a utility. The Nation also has to understand that if it should take over these chores, then there are costs for development, transition, maintenance, acquisition, and then for future services. All in all, that's probably one of the reasons why the Nation has a marginal yes at this point.

The total cost is quite a large sum. On the other hand, if it Nation uses this said instrument as a revenue-generating project, the services would not only defray the basic costs of running such an operation, but produce a returns.

I am the executive director General Services, and answer directly to our new president. Our new president wanted me to express that he wants all of our friends, and those in the Indian community, to know that the Nation's work continues, and that we have a large chore ahead of us. I got a smile from the Navajo Nation president when we asked if the Nation was at the point that maybe it could consider launching its first satellite, to be a front participant in the telecommunication. If all parties, here were interested in developing such a concept, are we at that point? If it is at a point, what it will cost, but at the same time, if it will develop revenue for all parties, then the marginal yes becomes more attractive.

MR. NEISS: (Speaks in the Lakota language). In our language, the Lakota language, that means, My relatives, I come with you with a good heart and open hand. My Lakota name is Wambli Gleska Wawokeya, which means Spotted Eagle Who Helps Them. I'm a member of the Rosebud Sioux Tribe, the Rosebud's Tribal Utilities Commission and Council.

And I've been given the honor by Madonna, the AISES organization, to talk about the Rosebud Sioux Tribe's efforts to regulate utilities on the reservation. When it comes to development, I came here to learn. Other than Cheyenne River, there's not really much telecommunications infrastructure on reservations, so I see it as my job to help develop that.

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I've been asked to speak in place of Mr. Patrick Spears. Mr. Patrick Spears is the President of the Intertribal Council on Utilities Policy, or Intertribal Coup. He's in California planning a global warming conference for later this year.

But actually, you know, I haven't really given any presentations too much as far as conferences, maybe two or three when it comes to our utilities commission, so I'm not really fully prepared, so kind of bear with me, and I'll just give you a sketch of what we're doing now.

I have spoken many times on tourism, with a group called the Lines of Tourism Advocates or LTA. I call it terrorism. At the annual sun dance regime, I say "God save us from the New Agers". We say things such as, you know, we were the nation's first tourism bureau, you know, and Sakakawea was the first tour guide, and that's very true.

But now, with those really humorous things, I am looking for the cyberspace warriors -- we're researching, our utilities commission, some of these issues. The Tribal Utilities Commission, we were created in 1990, under an ANA grant, [Department of Health & Human Services, Administration for Native Americans] in association with the Oglala Sioux Tribe, who formed what was called the Onyate Energy Commission.

From 1990 to about '94 or '95, it took a great deal of lawyers and good people from the Tribe to look towards this future, not so much development, but the regulatory aspects. I actually got interested, with regulatory processes -- the unperfected rights-of-way and members complaints by the wires across the land without permission and piggybacking new utilities on old rights-of-way. The electrical providers were assessing a fee to the cable TV provider and to the phone provider, without coming to us for express permission. I have a problem with that, as a council representative and as a Tribal member. They were making money, and not talking to us.

Maybe we have to assess some sort of a special maybe user's fee, but they told us they would have to raise the rates. At the time there was no the public utilities commission with control over things on the reservation. I thought that was a disadvantage, not only Tribal members, but everyone on the reservation. Extremely high rates for electricity. The electrical cooperatives would turn people's electricity off without notice. There's no provisions for wintertime months like in the State of Nebraska. Several Tribal members who almost froze to death, some elders, and one of my neighbors in particular, when his metering system was changed and it became was too complex for him. He almost died.

Since there was no regulatory authority, we came together at the end of '94 and about '95 and said we need to review Title 20, of our law and order code. We had not been using this document. The Oglalas have the same document, but they've not yet create an actual utilities commission.

Within South Dakota, Tribes have utilities commissions, but mainly for water, sewer and garbage. I'm glad they're doing that, but to me that's not really regulatory. The utilities commission, we said should take on regulatory aspects and the adjudication processes. It is the inherent right for any Nation, any peoples to have this part of their manifest destiny, you know. This is not in the regulations. Someone needed to do this and, we did so in a spirit of cooperation.

When we sent the word out about creating an utilities authority, some local utility providers armed themselves. Rosebud is over a million acres, mostly trust land. We have 20 communities located in five

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counties, with a 23,000 member population. You see a few non-Indians, except when you are in the city, and, there are ranchers, or workers at the hospital, or the IHS, or schools. The Native Americans definitely have a clear advantage.

We had utilities forums, and the utilities companies came because they were looking for a vehicle of mechanisms to address Tribal members. These forums were great vehicles for everybody. members. The forums were broad casted over the radio station. The whole process was educational. So far we had three forums and another one is planned.

The right of way and piggybacking of different utilities always comes up. A member of the Lakewood Electric said that the State gave them automatic rights of way. And our attorney, Mr. Robert Gough, was moderating the panel with me. At that point, had asked her, "When you're in Canada, whose jurisdiction are you under? And in Mexico the same, right? And the state of Texas the same, right? " And I said to her, "Ma'am, what are you saying? I say this respectfully to you, that it's a new sheriff in town, and it's called the Rosebud Sioux Tribe's Utilities Commission."

The State of Dakota in 1996 chartered a new course for telecommunications after Congress deregulated the telecommunications industry. At a meeting in Mitchell, the State recognized our utility commission along with the Federal Communication Commission.

I want to introduce one of our commissioners, Mr. Jack Davey, who will talk about some of the things we are doing about energy. Before that, I wanted to thank the Oneida Nation for, you know, the dinner, and whoever else. And that was very good. We visited with Oneida's energy education program. The applications in renewable energy, and their houses are truly energy efficient.

MR. DAVEY: If I may. (Speaks in the Lakota language) Now, Ron already told you what that means, so my name is Jack Davey. I'm a Rosebud Sioux Tribe utility commissioner. I am also a physics professor at Sinte Glaska University, the Rosebud Tribal college.

First of all, I want to tell you that I talked to Pat Spears on the phone this morning, and he wanted me to relay to you his regrets for not being able to make it here, and we need to tell Pat that it takes two of us, Ron and me, to replace him.

Ron told you that one of our interests, and mine in particular, is renewable energy, and I think for a group like this, on two levels: One, American Indian. On the second, you're interested in the technology, specifically communications technology. I think it is not a leap to understand that renewable energy technology goes hand in hand with that.

And particularly, as Indian peoples, we should be concerned about what's happening to the earth. And one of the things that we have the power to change now, with the technology available, is how electrical energy is produced and consumed.

We are making efforts in the Rosebud Utility Commission to make some changes on the Rosebud. A couple of things that I might mention. One project currently in the planning stage is to revise the electrical power system at our convention center.

The convention center include the casino and a new motel. We to call it the convention center instead of the casino, because we've discovered that with the casinos that are our Indian brothers in the east have, it raises an idea of lots of money. And that's not the case with our casino. Our population density is so low that although the casino affords some jobs and brings in money. It isn't the tons of money that often people, particularly non-Indian people.

Our plan is to change over the power system at the convention center so that it's powered by wind turbines and photovoltaic panels. Now, one of the things you may or may not be aware of is that for those Tribes that reside in the central part of the US, specifically, North and South Dakota, and central Nebraska, is that wind energy experts refer to this area as the Saudi Arabia of wind energy in the United States. We would like to take advantage of a nonpolluting power resource. The only negative aspect is that some people think the wind turbines are ugly.

We need to pay a great deal of attention to is educating the young ones that are going to follow us, so in that regard, one of our efforts is to use an adjunct school as a demonstration site. We have a school that's called Grass Mountain Demonstration School, and it's an adjunct to Sinte Glaska University.

It's a school that has students that range in age from six to 14, and it, in addition to a normal curriculum, has demonstration curriculum, assisted by Tribal elders, so that they learn some of the things that have almost been lost, in terms of traditional skills. The school is a straw bale building that's plastered, and highly energy-efficient, and largely constructed by the students. The building has no power at present, but the students are installing a photovoltaic power system.

The utility commission is having several home which are remote from the power grid, equipped with solar power. The long-range goal is to eventually have a number wind farms and PV farms on the reservation, so can ultimately, make ourselves independent of the coal-firing power sources in North Dakota and Wyoming.

UNIDENTIFIED ATTENDEE: Yes, in your renewable energy sources, besides wind and sun power, have you considered the use of geothermal? There is a company called Morrow River Technologies, that will be specialized in geothermal energy sources for individual homes, as well as large establishments such as your convention center.

MR. DAVEY: Let me give you a two-part answer to that. First, let me tell you that I am aware of the fact that on the southern border of South Dakota, kind of in the middle and extending into Nebraska, there is a hot spot that has supposedly, at least theoretically, great potential for thermal energy.

There are a couple problems with that. One is technical, and the other is spiritual. The technical aspect is that that requires a great deal of investment capital, and it is technically rather complex because it require a lot of water. From the Lakota viewpoint, there is some reluctance on the part of some of our elders and some of the Lakota people to get involved with that. But as an engineer, my problem is more technical than anything else

MS. MASON-SEYLOR: Good afternoon. I'm Susie Mason-Seylor, and I'm the Telecommunications coordinator for the Confederate Colville Tribes. Our roundtable presentation today consists of how our Tribe identified and prioritized our telecommunication needs within our Tribal infrastructure.

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Through the Tribe's holistic management team, it became apparent that our weakest link was communications, via the membership, interdepartmental, and the private and public sectors. It was obvious we had outgrown our current switch, which is nine years old. Within a one-year period our system has crashed two times. Also our out-of-town voice mail hard drive and our on-call accounting system had both crashed during a tornado storm that hit us last July, of '97.

A series of meetings set up with our Bureau of Indian Affairs, Indian Health Service, and our C Tech Corporation were initiated to buy in for the purchase of a linked phone network system between all entities. Once a vendor was agreed upon by all entities, we presented to the business council, who elected to select Century Tel, formally PTI, to provide our new telephone network system services.

We had a long distance maintenance contract with Vision Communications out of California. They could not fulfill our maintenance needs for all three pieces of equipment. For this reason, we opted not to renew this contract.

Dialing out for outside communication was impossible, because of our constant fast busy trunking. Upon these identified issue, the business council directed my program manager and myself to provide a proposal to purchase a new phone system. We had existing relationships with several Companies: US West, Lucent Technologies, PTI Communications, now Century Tel, and Vision Communications.

These companies were contacted, and each was given the opportunity to inventory, on-site visits, reservation-wide, throughout our tower districts. Nespelum, OMAC, Inchelium, and Mill Bay. he proposals were submitted by all companies. A selection process began as directed by the business council. Through this process, our Tribe saved \$75,000 for consulting fees. We initially knew our needs, based on our identified problems. From start to finish, the process took approximately six months to finalize.

I will now turn the presentation over to Barb Leitchfield, consultant and assistant project manager for our new phone system.

MS. LEITCHFIELD: Thank you, Susie. As a representative for PTI Communications, now Century Tel, our challenge was to meet the goals of the Colville Confederated Tribes Telecommunications, to provide cost-effective telecommunication services throughout the Tribal infrastructure by integrating Colville Confederated Tribes, C Tech Enterprises, Indian Health Services, and the Bureau of Indian Affairs.

The Colville reservation's 1.4 million acre infrastructure included linking together sites in the state of Washington, spanning from Mill Bay Casino, 60 miles, to OMAC, 45 miles, to Nespelum, and 18 miles down to Grand Coulee, and 60 miles back up to Inchelium.

Our proposal was based on a comprehensive system design of high-level voice and data integration by utilization of digital facilities, a reduction or elimination of off-premise extension charges, by installation of Tribal-owned cable, cellular service reduction by installation of a wireless system for their gaming sites, and also, cost-effective pricing on a phase basis.

By utilizing digital facilities, we were able to reduce the Tribe's long distance charges by approximately 25,000 minutes per month. In addition, we were able to eliminate approximately \$2700 per month of off-

premise extension charges, by utilizing and installing Colville Confederated Tribe cable. Also reduced was cellular service by approximately \$10,000 per month at the gaming casino in Mill Bay Casino by the installation of a NortelComm wireless telephone system. The Tribe has estimated that they'll save approximately \$40,000 per year, which has enabled them to hire an additional position in the telecommunications department.

Our proposal was designed in six phases. Phase one, Mill Bay casino; phase two, Nespelum; phase three Mount Toleman; phase four CTEC headquarters; phase five, OMAC district, and phase six, Inchelium.

The benefits of our proposal included one vendor for equipment, long distance and local services at the main campus, a transparent network throughout the Colville reservation with four-digit dialing between all sites, a significant reduction in long distance by making most areas local calling throughout the network that we've designed, a significant reduction in cellular service utilizing NorTel's companion wireless system, a significant reduction in the off-premise extension charges at Tribal headquarters, voice mail with message waiting for all users, centralized administration with cost accounting and traffic analysis, alarm reporting and toll fraud alert, and much more.

In June, we completed the first phase of our installation at Mill Bay casino in Madison, Washington. We also negotiated a separate contract outside of the PTI Communications contract to train Tribal employees from the telecommunication department how to install wire end jacks and terminate cable.

We are currently in the process of installing phase two at Nespelum headquarters, which will be the hub of the network. We will then move to phase three, in Grand Coulee and on to phase four at Mount Toleman. In September, we will move on to phase five, where we will install OMAC, three more switches and one telephone key system at the OMAC site. In October, we'll move on to the final phase of our installation at their location in Inchelium.

At the conclusion of our project, which we estimate to span across six months, the Colville Confederated Tribe will virtually have a seamless network tied together with digital facilities and four-digit dialing throughout.

MS. HANSEN: My name is Paulette Hansen. I represent the American Indian Information Network, as well as having the privilege to work with Madonna and Melvin Yawakie in planning this particular workshop.

The AIIN is a 501c3 organization, Its purpose is to leverage public and private partnerships, and funding resources for Tribes for cultural preservation, economic development, and improving education and healthcare through technology.

In this regard, AIIN has held several workshops on healthcare and small business. One was held on Monday related to Tribal telehealth. We also are doing a trade show co-located this year with the Indian Health Service conference which is going on at the convention center downtown. AIIN is involved in the trade show, simply because we wanted to bring in different types of vendors for Tribal and Indian Health Service staff than those that typically come to this conference. Telecommunication and technology vendors are represented at the show. I have placed an invitation on your desk for you to come to the trade show. There's a reception there this evening between 4:00 and 6:30.

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Next Workshop, February 22-25, 1999, San Diego Town & Country

Today, I will cover three federal programs that have telemedicine applications under grant and loan programs. A handout is available. Briefly, most of the available money comes from three agencies. One is Office of Rural Health Policy. They have a big telemedicine, as well as a health outreach program, and over the last three to four years have given out \$32 million in grants. The second agency is the Rural Utilities Service. Their distance education and medical grant and loan program is administered as part of the telecommunications program. The third agency is under the Department of Commerce -- the National Information Telecommunications Administration.

Of course, another way of getting money is a special appropriation from Congress. I have not had the opportunity to review this, but the Alaskan tribal telehealth workshop participants said that Alaskan Federal agencies and Tribes banded together, and they captured \$30 million for a telecommunication system to support their needs in Alaska.

Of the three federal agencies, most of their money comes available on a grant basis, and the next application periods are generally from March to June of 1999. And when you look at these grant applications off The Office of Rural Health Policy, it's really looking at funding things over three years time period. They fund projects that really can show a growth in the application of telemedicine, so they can have a benchmark for telling Congress what goes on.

Rural Utility Service requires you to work with your local telecommunications provider, and to explore technical -- it's more of an engineering framework. And so, some people find that particular grant a little bit harder to fill out.

The National Infrastructure Telecommunications Administration Department of Commerce has given out a lot of Indian grants, as well as these other agencies. They're more focused on cutting-edge technology. So you have three different frameworks, three different agencies that will have 15, 20 million dollars a year on a competitive basis each year. Some Tribes have benefited directly or indirectly from these grant programs.

Examples of direct benefit are the Alaskan regional business and healthcare corporations. They got money from several different agencies, to analyze the telecommunications grid and service ways, connecting services for their local communities and colleges and healthcare providers.

Also some have benefited when other groups have applied for grants, and they were included in the communities within those grant delivery systems. Many of those entities are also third-party contract care facilities which are part of the nearly \$400 million annual distribution by Indian Health Services.

Tribes can implement telemedicine applications by themselves, through grant funding or by utilizing existing relationships with their third-party contract care providers or other federal agencies such as the Veterans Administration. In North Dakota, Tribes are being included in the Dakota Telemedicine Network which includes the four major cities that provides the majority of all healthcare for the State, the University of North Dakota's medical school and the Veterans Administration.

At this workshop, you heard about other ways Tribes can improve their telecommunications capacity for healthcare. Those ways were discussed by Tony Davis, from the Navajo Indian Health Service, GSA, the Indian Health Service Aberdeen Pilot Project for voice/data on frame relay.

The Office of Rural Health Policy has a free report, The 1998 Federal Telemedicine Directory which summarizes by state 191 federal grant projects totaling \$110 million between 1994 and 1997. This report gives a good overview of the different funding program. For your copy call Amy Barkin: 301-443-7322 or write to the Office of Rural Health Policy, 5600 Fishers Lane, Room 9-03, Rockville, MD 20857.

MS. HELTON: My name is Nora Helton. I am the chair person of the Fort Mojave Indian Tribe, which is located in California, Arizona, and Nevada. We have approximately 40,000 acres of land, a majority of that being in Arizona. Part of that land is checker-boarded in the Arizona portion of it, which has made for a very interesting experience for the Tribal government in dealing with non-Tribal members, as well as service to Tribal and non-Tribal.

I don't know about the rest of you, but I feel very lucky today. I went out and bought 20 dollars worth of Power Ball tickets. Tomorrow I'll be willing to talk to somebody about buying some spectrums, so be ready.

On behalf of the Fort Mojave Tribe and myself personally, I'm very glad and proud to be here today, to tell you about the Fort Mojave Tribe's experience in dealing with the field of telecommunication.

As I stated before, the Tribe is located in three states. We have to deal with three governments, which is the states of Nevada, California, and Arizona. Three Governors, three counties, and it's been a nightmare to deal with them.

But all through the experience that we've gone through, we've had to struggle to provide service on the reservation.

The majority of our people live in two villages, one in Arizona, the other in California. The Tribe has approximately 10,036 Tribal members. Of that, we also have a residential development that is totally non-Tribal members, and probably on that development there's about 240 individuals, and other businesses that are non-Tribal.

For the majority of it, the Tribe leases out land for agricultural development, an airport, and those are probably the two main revenue sources for the Tribe. We have two casinos, as well, one in Nevada, which is a full-scale Nevada development. The other is an Arizona casino, which is -- has the potential to go up to 495 machines. We only have 163 currently.

The Arizona checker-boarded area was probably the first area that we looked at developing, and actually taking over our utilities there. The majority of the reason why we chose to go that direction is because of the high cost. We did not have a number of homes that could afford to get a telephone.

The Tribal overall development plan included a water and sewer project, which covered both Tribal and non-Tribal lands and later telecommunications. The telecommunications venture was both a legal battle and probably a personal battle with the Tribe, having to contend with the Citizens Utilities Group, Mojave Electric Company, and others, who had had the monopoly on the reservation for 35 years without a right-of-way.

The State of Arizona had the same problem. They had a major highway running through there, which lacked right-of-way. It forced us into really looking at if we wanted to exercise our right -- self-

determination. The need to exercise our Tribal sovereignty, was the other main reason why we decided to pursue taking over those facilities on reservation.

The Bureau of Indian Affairs allowed a numerous kinds of rights-of-ways to go through, whether it's either gas, highway right-of-ways, or just in electric and telephone and cable and sewer services. That was something that was out of our hands. The legal challenges, though, I think were probably the most cumbersome. They took about two or three years and money just to exercise our right to provide these utilities on reservations.

We are an RUS borrower with three loans. Our experience in working with RUS has probably been one of a learning curve, also, for us. They were very helpful, to say the least, and I think a lot of that was due to a Bob Peters [Held position prior to Mr. Cameron]

The Fort Mojave Telecommunication Company is a Tribally-chartered company. It was established in 1988. We did provide a certificate of necessity for them to provide telephone and cable television service to the Fort Mojave reservation, and sales and service equipment to the tri-state area, which includes the three states I mentioned earlier.

The Fort Mojave Tribe is the majority owner of the Fort Mojave Telecommunications Company. Self-determination is the goal of the Tribe in establishing its telecommunication company, as well as its other utilities. A minority shareholder, principally owned by Dobson Communication out of Oklahoma City. This company is also a partner with Gila River which developed their phone company just prior to us. Dobson Communication has an agreement with the Tribe to form and manage the telecommunications company during our formative years, which has been about since '87. They've actually been with us since about, I believe, '90, '91. That relationship helped the Tribe itself in learning about the technology. I guess it's something that a small Tribe, such as ourselves, you know, did not need to go out and spend a whole lot of money getting consultants to come in and basically run the bill up, as well as the owners. But they are probably one option that the Tribes can look at as helping you get started.

The company itself has over 50 years of telecommunication expertise, direct holdings, data exchange operations, cellular telephone services, long-haul fiberoptic resale, and a whole slice, and several PCS markets. The Fort Mojave Telecommunication Network is switched by NorTel, DMS10, and three remote NorTel offices. The network is connected with 26 miles of fiberoptic cable, and terminal equipment.

Fort Mojave Tribal Telecommunication is proud of its network flexibility, by means of fiberoptic equipment and to a line, total telephone service can be established efficiently and quickly to anywhere on the reservation.

The Fort Mojave Telecommunication returns to the rural customer an oriented manner of doing business, and provides 24 hour, seven days a week emergency service. The Fort Mojave -- FMTI, I'll say for short, it's getting my throat sore, FMTI has a staff of qualified personnel of eight. Of those, five are Tribal members, and currently serves four exchanges: The Mesquite Creek development, which is the non-Tribal-member development, the residential development, the Arizona village, Spirit Mountain, and the California village, which is in the three states.

MS. HANSEN: This afternoon we are going to be discussing issues or concerns that have been triggered in your mind by sitting through this workshop today and yesterday. It could be anything from the federal government not providing seed money for tribes to doing the first feasibility study for a telecommunications system. It could be something dealing with right-of-way, how you really figure out the costs, or tribal sovereignty issues. Would anybody like to start as to what they think is the most pressing need as far as telecommunications or what is the most important question that you didn't hear an answer for?

UNIDENTIFIED ATTENDEE: One of the things that I think the average non-industry person does not understand is that there are so many issues on the forefront of telecommunications. We're changing the form of revenue systems from the supports that are in place now. We, as most tribal members, are being served at a high cost because it is in a rural area. The majority of the income comes from support mechanisms, and those are changing. Deregulation is occurring.

This has taken place with the airlines already. For example, when I leave Rapid City and go to Denver, I have to pay \$300, and then the fare from Denver to Washington is just \$100. That's what I think is going to occur with telecommunications unless tribal people, and that's tribal leadership, get involved. This group must start becoming educated real quickly, and it is probably our job to do that.

In our area, without those supports, we easily could be paying a local service charge of anywhere from \$50 to \$75, without the subsidized revenue mechanisms coming in. That's going to affect cooperatives, commercial companies, and tribal-owned telephone companies, and the layman does not understand that. He would just go along happily saying: "I'm paying 20 bucks a month. I'm out here in a rural area. I'm happy with that."

Our local business rate has not had an increase for about 12 years, as this is real common in the rural telephone industry. I think that within the next two to three years when this all comes about, if we don't at least stand up and have the rural tribal voice heard, at some point, these penetration rates that Madonna is talking about are going to become even more so. That is one of the problems. We can have a lot of telephone plant, and it could even be fiber going right by the door. But on my reservation, the unemployment rate is about 60 or 70 percent during the winter, outside of the construction season, and they just can't afford it. I don't care if it's the best plant possible.

So a lot of times it's not the fact that infrastructure is not available, but it's that our people can't afford it. The penetration rate may cause that to go even further, because if it's 70 bucks a month, there's a lot of folks with jobs that might even say: "Well, I don't know if that's something that I can afford anymore."

MS. YAWAKIE: I want to add something. That is kind of a private group here. You hear about these millionaires -- because I've studied the industry. I've visited with people that I wouldn't ever normally have thought to visit with. But how do these people become millionaires, these rural telephone company owners? Because if you go to the National Telephone Cooperative Association conventions, you meet these people. How do these people become rich? These rural telephone companies are little pots of money, and they don't have a lot of regulation by the state utilities commissions. They have a group that represents them in Washington, D.C., represents rural interests, and so they have a lot of support. So looking at just the telephone interests, we need to look at this as a form of rural development and

recognize that this is not the answer for all of the ills in Indian country, but it brings us one step closer to getting to that place.

UNIDENTIFIED ATTENDEE: So we're not going to be millionaires?

MS. YAWAKIE: The boards of directors of some of these companies get paid real well. I don't know about the tribal-owned companies. Some of that money must go back to the tribe in the form of dividends or whatever, but some of these companies we're discussing, in many states, public utilities commissions do not regulate the independent telephone companies.

UNIDENTIFIED ATTENDEE: I think there's a real misunderstanding from the tribal perspective, as well as the industry, about economic development. You see things like the HUB zone come through and other efforts like we're seeing here, and people don't understand it. One example is the 1995 FCC Personal Communication System auction that they talked about. Apparently there were some negotiations, and people had to go out and certain entities had to go out and bid to be selected as one of those possible servers. Well, in that case, the tribe that could afford to get into that, they're a step ahead of the game already. But the ones in the rural areas are completely left out.

The other thing is that on the HUB zone, the rules and regulations were supposedly being worked on by a committee that was selected by congressional people, but were there any Indians on that committee? I don't believe there were. But the rules and regulations were established, and it's the outside community who knows nothing about Indian and tribal needs in the local community setting that writes the rules and regulations. So we're left out again, even though the HUB zones are supposed to help rural communities with economic development. I think that part of it is, again, that tribal leaders and tribal groups have to address that.

Part of the thing in telecommunications is not knowing that it's even an issue. The tribal leaders cannot go out there and support and battle it unless they understand the issues. I think that's where the technical resource pool people that we have need to step up and provide that kind of guidance and education for the tribal leaders so that we have people who can then affect the legislative process.

MS. HANSEN: In relationship to these two gentlemen's comments, in 1995 a report went to Congress. It was the last report issued by the Office of Technology Assessment, which was a research arm of Congress. The report basically summarized Indian telecommunications really in one sentence -- telecommunications is like the telegraph and the railroad of the last century, that as they runs through Indian land, but produces no benefits. So it seems to me that Indian Country really has a short time window to jump onto the information superhighway, because the other groups out there and people that write the rules, the FCC, RUS, State Public Utilities Commission and the Industry, whatever, everyone else knows the ground rules.

We have invited some policy makers to learn more innovative ways to bring the tribal communities back into the institutional partnership which is involved in making the rules and informed of changes before they happen. Also we would like the FCC to consider innovate ways to get the private sector more interested in going out into that marketplace. There needs to be a real lot of understanding at the national

level on just why Indian Country lacks telecommunications. What we need to do to break down that wall, and it has to be done pretty fast.

UNIDENTIFIED ATTENDEE: With respect to your comments that you just made, the five existing telephone companies -- once the '96 act was passed, it left out Indian tribes. So we formed the National Telecommunications Association and quickly began lobbying as a result of that effort. A lot of politics that was played on our part got the amendment which included Indian tribes in there. That was a very dramatic thing or historic thing for us to do that. As a result of that, you've had some changes.

All of a sudden we've had changes in FCC commissioners, and Chairman Kennard has become involved as a result of the organization which we're members of. We have had members placed on the FCC task force committee. So we've had people come in and say this has to do with Indian issues. As a result, we're lobbying with Chairman Kennard and this new group of commissioners and letting them know that there are big problems out in Indian country, and we're getting left behind. As a result of that, they established a task force, and there has been another meeting held last week, and now there are some comments being filed.

What I see is an opening for Indian Country to step in and say: We've got problems. How are you going to address them, since you seem to be interested? I think this is the first time that us in the industry within Indian telecommunications have even been acknowledged. I think that's where you have these issues of Indian representation with respect to telecommunications policies. Within that group we have talked about an Indian on the FCC so folks like you can call in with questions.

I understand about seed money, about ownership to bring back the income to your tribe. I believe that one of the main things we need to do is educating Indian leaders. How can they talk about the infrastructure of tomorrow if they don't even know what a T-1 is? They don't even know that fiber optics passing through the reservation can be accessed so that they can be put on the Internet. Those are some of the issues, and perhaps out of this group maybe we can take some of those issues to this working group that we're going to be forming.

MS. HANSEN: If the FCC goes to Capitol Hill and says: We need these things done or Indian Country will be left out, they're going to have to justify that. I used to work in the U.S. Senate. So I understand that whatever the FCC is going to come forward with, it's going to be out there for review by the Regional Bell Companies (RBOCs) or independents or whatever. The FCC is looking for something to cover their own behinds if they're going to be making recommendations that involve money. So what Madonna says is true. And it's a very simple thing to do, and that is to issue a notice in the Federal Register calling for public comments from tribes, RBOCs, federal agencies and that type of thing to put together rather quickly what the consensus is or interest level is out there, as well as what the barriers are to getting telecommunications out there.

Another important thing is that she wants other federal agencies, like the Indian Health Service, to the Bureau of Indian Affairs, to tell the FCC what about their problems in getting carriers to improve local networks built. Carriers are unable to improve local federal field office telecommunications because their back backbone network is so poor that they can make site improvements. They really want to serve the urban areas and not the Indian areas that cost more money. Therefore when you review a company's

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rates and policies and how it affects this state, you should ask them: Why aren't you able to serve Indian country? So we want to have the BIA and IHS and other agencies really put down in writing whether or not they've had problems with getting service simply because the telephone company is not really willing to spend the money in the areas where tribes reside.

UNIDENTIFIED ATTENDEE: In the meeting with Chairman Kennard, I was struck by how unaware the FCC is about this. People should be getting as much information to them as possible. It would be really good if we could send a position paper or something to the FCC.

MS. YAWAKIE: The two times that Indian people met with the FCC, the first time Mark Nadel called me to prepare for that meeting. The second time Eric Jensen called me and another FCC commissioner. He's not an attorney. He's a minority business person who called me to prepare for that meeting. We're going around in a circle here, and we don't know it, but they do.

UNIDENTIFIED ATTENDEE: That's what is happening. We're supposed to be with them for one hour, and we actually ended up taking about two hours with them and three hours with his top staff.

MS. HANSEN: I had one of the people that called me that said: Well, telecommunications isn't an issue, because we haven't heard from Indians in a long time. In a nutshell, they believe in most cases that maybe Indian people don't want it. I was involved with the Indian pueblos in dealing with a small business conference last year. Out of 1400 addresses, all but 20 of them had post office boxes. I said: Does that mean that Indian would rather drive 20 or 30 miles to get their mail because culturally they prefer not to have a phone. Or does it mean that the federal government never established a mail delivery routing system. One thing is for sure, without a routing system, they will never have 911. Sometimes you can be really off-base when you come to snap decisions.

UNIDENTIFIED ATTENDEE: Did you tell them maybe the reason they didn't call was that it was ten miles to the nearest phone?

MS. HANSEN: That's right. They have no infrastructure. Historically, limited funds were given by Congress to build local Indian community roads until 1983 when it tapped into the Highway Trust Fund. So just because they don't hear from Indian people - like on the roads, they didn't hear anything because many tribes never thought they would get the infrastructure necessary for economic development because the process was just so difficult. They didn't know where to start. So we need to share with the communities that have the infrastructure and talk about how to go about getting it done. Once the tool kit is put together, it can be used if people are motivated.

UNIDENTIFIED ATTENDEE: Another pet peeve of mine, and it might be a peeve of other people, is that telecommunications is a two-way street. A lot of times we don't respond because we don't get the information, or the information comes in a package that we can't manage. One of the things that we can't manage, and I'm thinking about my agency, is the Federal Register. That thing comes in bundles of five or six that are a week old with deadlines to respond. You need someone to be able to read the register and pick out the pertinent information and the new dates of deadlines and things that are important for the Indian nation. What I would like to see is a federal register for information strictly for the Indian nation.

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MS. HANSEN: Right, a clearing house.

UNIDENTIFIED ATTENDEE: A clearing house that could put the information in a separate publication. The HUB zone thing was a disaster for Indians. We didn't find out about it until it was already past the deadline.

MS. HANSEN: And if you look at the statistics, 80 percent of those dollars go to firms that are located within that Washington DC beltway. Under the HUB Zone law, 1-4 of the entire federal procurement total is suppose to go to companies in economically depressed areas. For any type of economic development, we're going to have to have some infrastructure base like telecommunications, and the second thing you're going to have to have is people knowledgeable about the federal procurement system who can enter into partnership with prime contractors to set up a business or whatever. So it really takes an awful lot of research to be able to make any sense out of it.

UNIDENTIFIED ATTENDEE: And the reason I asked that question is because everybody was moving on a different track and back to that old divide of different rules for different groups.

UNIDENTIFIED ATTENDEE: I think that tribal leadership, which probably excludes everybody from this group, except for Ron, who is a tribal councilman -- how do we, as Native Americans, approach the FCC and the federal government? Currently you have the tribal telecommunications associations, and they're comprised of the telephone companies, but that's a really small group when you really look at it. You have another group through Madonna and the engineering people who seem to be making contacts and kind of hitting the same issues. But to me, tribal leadership has to be focused in leading that charge. Somehow we need to get that across to them, and we've also got to get them to establish a telecommunications subcommittee to try to educate them, because it's my belief and it's the associations' belief that when these federal people hear from you, it has to come from tribal leadership.

They're going to hear a certain amount from a trade association, but they know they are in business. They're going to hear an engineering group, but it's fragmented input. So I throw that out the table. How do we get the real grass roots leadership to be representing what we're telling them in terms of policy and ideas?

MS. HANSEN: Your group is really very much interested in healthcare and information technology. So the kinds of things that we're interested in doing is taking that information and bringing this to people to really talk about things that are of interest to various size tribes and applications like child care, healthcare, education, and things like that. It's going to take an awful lot to bring a lot of tribes up to speed, but really maybe what is the best thing to do is to seek out tribal models with existing phone companies and really do a media campaign for Indian Country to get that out and the substance of that.

UNIDENTIFIED ATTENDEE: I would just like to put forth that I believe that this group should put out some kind of a statement or position paper for the national conference to be held in October in South Carolina. We can then take that and pass resolutions to that effect, and I think we can then inform the tribal leaders who are attending, and there's going to be approximately 250 tribes that will be represented. So that is one mechanism which we may not be using as a resource that we all have.

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The same thing with tribes all over the country. There are too many little groups out there, and we're not coordinating our efforts and we're not pooling our resources so that we fight for the common cause. I think that's the same thing here. We have different little groups that are battling it, but we want concentrated efforts. That would be one way to do it. So I would propose that we put something together in this conference and carry it to the NCAI.

MS. HANSEN: One of the things that we will do with the proceedings of this conference is summarize it into a three- to four-page fact sheet containing information that's been presented this week, as well as probably a 20-page overall proceeding summarizing the basic issues. I guess the question is: How do you then get a consensus? Through this report, we will be able to gather things that are said and put them into the document. But this is the only opportunity in this break-out session for people to discuss this.

UNIDENTIFIED ATTENDEE: As far as writing down something and educating leadership, it should be something very simple. We need something that's easily understandable. I'm not really that computer literate, and most council members, at least in our council, aren't either. So you have to have something that a three-year old could understand. In our communications to the federal advisory committee, we've made it very simple. We do our reports to the utilities commission in two or three sentences. At first we thought: Let's impress them. Let's give them two pages on each thing we do. But they want something really broken down; they want a Reader's Digest breakdown.

MS. HANSEN: Are there other issues of concerns about right-of-way?

UNIDENTIFIED ATTENDEE: One that is expressed by many different tribes -- and I have a card if anyone is interested in a copy of our utilities code. I don't want to forget anybody, and so I have my card. But it seems like we're putting the cart before the horse. And it seems like we have left out the development of the regulatory authority. That's where it begins. We've done that now, and I think we're more in a position to move into the business arena.

MS. YAWAKIE: I totally agree, and I think as an Indian woman growing up in Turtle Mountain and in a family very involved in politics, it's pounded into you the concept of sovereignty. That's why we brought together the Indian utility people and Indian engineers. The question is: How do we make a difference? A lot of Indian people don't have an understanding of these issues. We need to get it across to them to develop a utility code, have a utility commission, and have a business plan so that their company is set up and so that they are protecting their sovereignty for the future. So I totally agree with that. We do have the jurisdiction, we do have the sovereignty, but you need to do it in the spirit of harmony and say: "Well, this is ours," but you have to be real diplomatic about it.

MS. HANSEN: Were there any issues that went through your minds when you heard the speakers that you felt were very important and needed to be discussed?

UNIDENTIFIED ATTENDEE: One of the biggest issues I found was with the easement and the right-of-ways, especially those that were sold off by the BIA for the tribes. Trying to find out what all of those right-of-ways entailed was very difficult. Was it just for a road? Is it a utilities corridor? How does this

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work with the treaty? Those types of things are, I think, paramount to everything else. If you can't figure out those issues, you can't do anything else.

MS. HANSEN: I think that that's true. A lot of Indian tribes are surrounded by federal lands, Congress in 1984 passed a law that telecommunications free easements for utilities on US Forest Service and Bureau of Land Management property. That's a free ride on over 50 percent of the western land base in ten states. I would not be surprised if this law has generated inquiries from companies interested in continuing their network across tribal lands. You will need to decide if you want money for right-of-way, ability to use this network or both.

UNIDENTIFIED ATTENDEE: I think it's very important to have that technical expertise. For a tribe to decide what is the difference between 12 fiber or 144 fiber, the number of fibers probably doesn't even -- they probably don't understand that there are technologies that are available that are going to be able to deliver unlimited capacity. So how do you go about pricing those right-of-ways?

There was something else said about BCS. We're going to overlook a lot of these opportunities and new technologies that are coming about unless we're involved the industry or understand the technical part of this. We're going to be overlooking some of these opportunities, I think.

MS. YAWAKIE: I think one of the major foundations for easements that needs to be laid prior to easement discussion is land use plans on the reservation that are really spiritually appropriate to the tribe. Without those plans, without knowledge of where development is going to take place on the reservation, location of easements is secondary in thought. Your primary thought should be: How are you going to utilize the land in a cultural and spiritual way, and who best understands that but Indian people?

UNIDENTIFIED ATTENDEE: And the environment that it's going to improve upon or change, who better to understand the ecological balance than the people that are located on the land itself?

MS. HANSEN: In my work with tribes, sometimes they always do not have their plans written down, but the community goals and concerns well understood. But in a lot of Indian communities, especially, where the population is dispersed in small clusters, it's hard to figure out where to put the infrastructure. The Navajos trying to overcome this problem by creating a central business districts with shopping malls and things like that. Telecommunication planning and initiative to find solutions to poor services, takes a lot of effort on by leaders and staff from diverse work areas.

MS. YAWAKIE: One of the things that we talked about with the American Indian Science and Engineering Society was establishing internships within the rural utility companies, the water and wastewater, electric, and telephone utilities, so that there are Indian people that can understand their programs and intern there in the summer or however long it takes so that we start to build that pipeline of people that could come from within our community.

MS. HANSEN: Were there any issues that came up in terms of taxation of utility lines or what to do with that local providers?

UNIDENTIFIED ATTENDEE: We're looking at the tax issues, and we see that different people assess taxes for different reasons. When the utility companies say they're going to tax the consumer, we tell them: "You've got to come to us first. We want to assess it." I think the day of just one business license, one omnibus professional license, for \$50, is over. For businesses that are non-tribal, there needs to be some special taxes. On the Navajo Nation, their tourism office is supported by a bed and breakfast tax, for example.

MS. HANSEN: That's really true to form as to how it is done in the Indian community. Utilities may pay a tax, but then they tie it back to a very specific community. So if you have a large company that covers 15 communities and one county has tax, they are not able that tax to consumers in the other 4 counties. So the message from the utility companies is: "We don't want these kind of taxes, and if you give them to us, we're going to pass it right on to the consumer and pass it right back to you."

UNIDENTIFIED ATTENDEE: On the tax issue, I think it goes back to maybe that some of the tribes that are far advanced have tax codes, but a lot of the tribes, such as the pueblos here, don't have tax codes. We do have it in San Juan, but what's strange about it is that there are business taxes and there are gross receipts taxes, but because of the lack of infrastructure to bring economic development in, and I think that's the same for pretty much every tribe that's in this boat, what we end up doing is having a corporation that's tribally-owned, and we have retail businesses like gas stations, car washes, casinos, RV parks, and all of that kind of stuff. But what is really strange about it is that there are entities and we're taxing our entities and it's to bring in revenue to the tribal government, which is okay, because the tax is passed on hopefully to the consumers. But that part we haven't really got to. I think if you don't have a tax code you're going to haphazardly go out there and start taxing, and if you don't even have a tax collection entity, then you run into accountability problems, and it's an accounting nightmare if you don't have the tax code and ordinances in place first.

UNIDENTIFIED ATTENDEE: I'm curious if anybody has had a problem with compliance. If we all of a sudden put a tax on the utilities when there hasn't been one, there might be a problem with that.

UNIDENTIFIED ATTENDEE: With respect to tax codes, they were taxing the liquor business on the reservation and the liquor businesses said they weren't going to pay. So it was like a stalemate. But eventually the tribe give them a deadline to come into compliance or else the U.S. Marshal would close the businesses. So at the final moment, they did come into compliance with the business license. But we followed the Sand River example and did the same thing. They bought the license under protest. Whoop-de-do. They bought the license in the final hour.

MS. YAWAKIE: The Department of Justice and the U.S. Marshals will help. The Department of Justice can intervene on behalf of the tribe. Only they don't usually do battle with the Department of Transportation. In the Department of Justice, we have an attorney, Mark Van Norman. Do you know what his title is?

MS. HANSEN: He's in the Indian office of the Department of Justice. I knew him when I used to work in the Senate. How this translates to me is that when you do a public relations campaign, you really inform everyone all the way down the line: The governor, the state attorney's office, and the elected officials of the local communities. The second thing is that this is why a tribal utility code is really

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important. When you have a utility that crosses state lines, what the state public service utility commissions do in North Dakota and South Dakota is say: "Well, you have the same utility. We'll just negotiate whose utility laws apply." So you could put in a utility structure and go to your state and say: "We regulate our utilities, and we want to have a dialogue with you so that our policies mesh and we really have a way of developing operating revenues and make sure we have no policy problems, and we also have a tax code." So you would really have a regulatory force for your goals also.

UNIDENTIFIED ATTENDEE: I've got a question. Are we supposed to pay tax on the phone bill, state tax?

MS. YAWAKIE: Ron Peltier is here, and he was on a council in the U.S. West server area, and what he did was start talking to them about why the tribe was paying taxes. What ended up happening was that I think the pot of money that was from taxes that was being taken by U.S. West came back to the tribe instead of individuals. You should talk to him about what conversation they had with U.S. West. I don't believe they have a right to tax it.

UNIDENTIFIED ATTENDEE: I don't think you're supposed to pay the tax, and a similar thing is that if you live near a county that has trash pickup. Because we have our own transfer station in San Juan, but every month we get a bill from the county saying that we have a bill that we're delinquent on. And I know that I don't pay to them; I pay to my tribe. So I've just been ignoring them, but I've been telling the council that we need to look at what's happening to the rest of the our community. Because I know how elders are. Elders are going to pay their bill on time. So if they get this bill which is \$8 to \$10 a month or something like that, they probably have been paying it to the county and not receiving the services.

MS. YAWAKIE: We talked about 911 this morning and how that fits into this. I asked the question about who pays for 911, because I thought that federal money must be involved in the 911 objectives in different states in mandating that all the counties have 911 by the year 2000 or whatever year it was. What I was told was that the states pay for 911. That's why they can mandate it. But I don't know that I fully buy into that, and I haven't done enough research to know that, but if you're paying a tax for some service, then your community should have it. If you pay the tax for 911, your community should have 911.

UNIDENTIFIED ATTENDEE: How are the other tribes that have outside phone companies that serve them handling it? Do you pay taxes?

UNIDENTIFIED ATTENDEE: We do.

UNIDENTIFIED ATTENDEE: That's a question I've never really looked at.

UNIDENTIFIED ATTENDEE: The state tax should be paid. I've had a phone for over 25 years, and I've been paying a state tax.

MS. HANSEN: Those taxes may be for a variety of reasons. For people old enough to remember the Vietnam War, the federal phone tax was used as a revenue source. Talk about using taxes for different reasons. Are there any questions on your mind?

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MS. YAWAKIE: We were listening to Marie Guillory today, and she was talking about those universal service funds being available to companies in the rural market and how they were implicit funds, and a lot of people didn't even know that they existed. How many of you knew that these universal service funds exist? J.D. did because he's in the industry, but if we don't start to participate in this industry, we will never learn about how these subsidies come about. This universal service fund has been in existence since like the mid-80s and people talk about how it's going to go away. But if the Indian people form their own groups to keep these in place and lobby their Senators, Congress will see that you care about it and the Indian community at large cares about it, and I think it will make a difference.

There's all this concern about change. Change is going to happen. But those rural telephone companies are a pretty powerful lobbying group, and we need to keep that in mind.

MS. HANSEN: When I worked with Burdick in the early '80s and they started to break up AT&T, the local company and NTCA input was bigger than their financial power, but the government wanted to be fair. Are there any other issues or concerns? If we are going to do this as an annual meeting and bring in other Indian groups or people that have the same kinds of questions, maybe you want to have the whole utility spectrum and try to bring everyone together and move forward in a consensus fashion. But what are the kinds of things that you want on the agenda? This time we concentrated a lot on who the non-Indian players were, the federal agencies, and all of these people really do have a lot of impact. But they are the people that can help you bring it along. Who are the other kinds of people that you want to see here, or what specific kinds of knowledge do you need? Is it going to be government? Is it going to be industry? Who are they and what do you want them to tell you? What documentation do you need to know about?

UNIDENTIFIED ATTENDEE: As a project manager, I'd like to see discussion on sustainability, so that before the venture is launched, there would be good groundwork in putting the foundation in place, and then move on to a discussion of keeping it there, and we can then let that go along with the entire discussion from the beginning.

MS. HANSEN: The other thing is: Would these meetings be regional or national? Sometimes if you hold a regional meeting that is specific for the west, you could bring in the telecommunications providers, the industry, and the tribes and talk about different types of technology that's going to be coming out. Do you think that you can get the information you need at a regional versus national level?

MS. YAWAKIE: We have Navajo Communications that serves about half of that nation, but it is not owned by the Navajo Nation. They heard about this conference last Friday or Thursday maybe, and we did not invite all of the companies that serve Indian Country. Should they all be invited?

UNIDENTIFIED ATTENDEE: Once you get it started, include a plan for maintaining it financially, because it would be a disaster for it to get started, and then all of a sudden when the grant money or loans or whatever, and I think J.D. and I had a little conversation on this -- the risk portion of it wasn't discussed very much. That's an area that people need to be extremely aware of so that it can last.

UNIDENTIFIED ATTENDEE: I think the tribes that already own their own telephone utilities should help the others. I think where other tribes are wanting to do that, we need a basic training workshop to tell us the steps of how to get there.

MS. HANSEN: Tribal governments and specific programs like healthcare and administration have computer and other technical specialist. Do you see these technical people, regardless of who pays their check, being able to relate back to the tribe? Do you see those people as the a driving force or is there a driving force within the economic development people? Who are the people within a tribe that say: "We want telecommunication improvements? In other words, who we should be inviting to these kinds of events?"

UNIDENTIFIED ATTENDEE: One thing you might do here is establish a list of participants, so that everybody could be part of an ongoing dialogue, because I know as these things develop, it's helpful to get together. But if we had done it regionally, I would never have met Ronald.

MS. YAWAKIE: One suggestion I would like to make is developing a model in terms of a workshop. You develop a model and use it for other workshops, starting from the planning stage and looking at all of the components. In terms of looking at a wireless or land line-based telephone company, I think everybody would have a much better understanding of that, because we've learned a lot yesterday and today. We must be aware of the strategic and competitive advantages. What are those advantages that we have? Is it taxation? Those are things we will need to work through point by point, and I think a workshop can be very positive for us as far as leaving here and saying: "I really know how to put this thing together," and then going back to your representative tribes and sitting down with the chief and the economic development people and saying: "I've got a plan because this is the way it's been done before," with some modifications for your environment. I think that's something that's very appealing.

The industry knows how the tribes started their own companies. The first thing tribes did was a put a map up on the wall and show their boundaries. You have to have a plan for control, and the way to do that is with utility commissions and telecommunications commissions. You've got to form them. You have to set the ground rules. If you want to play the game and win, if you've got to set the rules. Let them know that if they're going to play on our ball field, they've got to play by our rules. The rules that were set up by them can work for us, too.

UNIDENTIFIED ATTENDEE: We can change them, too, because they have to come to us now, if you have put your own rules and commissions in place. It's better to do it now, and if somebody says: "You shouldn't have done that," well, you can always say: "I won't do it again, but it's already been done." Set up a commission, and it can start out with just one person.

UNIDENTIFIED ATTENDEE: I think you also need to work on targeting local resources or entities outside of the federal government, such as relationships with banks, bonding companies, investment people, and so on and so forth. There's enough expertise in Indian communities to bring that information about that forward in a workshop.

MS. HANSEN: That's very true.

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UNIDENTIFIED ATTENDEE: I think that's a very important factor in developing a telephone company so that you can be sustainable at the end of the implementation period as well as the planning period.

UNIDENTIFIED ATTENDEE: I just wanted to say a couple of things about this forum. From my point of view, I'm a nationalist, and I think we need to keep our workshops Native American and not have anymore openings for non-Native Americans than we need to. Secondly, I think we have to realize that telecommunications is more than just fiber optics. We need presentations on Internet technology, on microwaves, on microlinks. We need information on infrared technology and on any newly-breaking technologies that are out there. So we need to have communication with AISES and their affiliates, and I think that would help us develop opportunities as far as helping existing and developing new tribal telecommunications businesses.

MS. YAWAKIE: Let me say something about that. In developing this workshop, I talked about that when we first started. We didn't know who cared. We knew that tribal-owned telephone companies cared. We knew that we cared. But we didn't know that anybody else did. So in order to get some money to start this process, we had to go to non-Indian companies.

We tried to go to what we perceived as Indian-friendly companies. So we tried to do that, and that's something we have to recognize. Who is going to finance our workshops if we're going to do these things?

MS. HANSEN: Their response is that this is a moneymaking business for them, and they feel that if we can figure out how they can help our communities out, then that's fine with them. The other thing about the technology is that we must make sure that everyone knows about possibilities and different applications such as telemedicine, tele-education that can work in a tribal setting. Understanding these applications and things like Internet will help your local phone company's bottom line revenue base.

UNIDENTIFIED ATTENDEE: I would like to say that political leaders have their plates, in general, so full that when you start mentioning an extra subject, it's going to get lost real quick. So if you are the person that's in charge, you're going to have many obstacles in doing the work that it takes, whether it's developing a utility code or whatever. You'll still run into obstacles with that. Because we've done all of that. The minimum I think tribes should do is go home and create a one-page resolution that requires all utility companies to apply for a necessity of convenience certificate, and if you don't do anything else with your utility code, you've put it before them that they must acknowledge that you're the sovereign government. That way everything else is not lost in the turmoil of political elections and agenda, and you've at least done that.

MS. HANSEN: That should be done before the tribal council, I think.

UNIDENTIFIED ATTENDEE: But with different tribes I've had contact with, because of all of these factors, things move slowly, very slowly. Melvin made a great comment that technology is increasing daily, hourly. The first thing you need to do is educate. And we're trying to get the FCC educated. That's our primary goal internally besides adjusting to this changing environment.

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MS. HANSEN: The FCC could act like big gorilla sitting on the state public utility commissions. We want to make sure that the big companies understand these issues, and when the FCC could just simply say that by notice in the Federal Register, I think it's helpful. Because other people could have given the Indian country telecommunications capacity generations ago, but they didn't. Now if the people that regulate them are interested in that, they may be more open to doing that.

I think that's the thing that you can deal with when you're talking with the tribal leaders, is: How is this going to benefit the tribe for us to have the telecommunications versus somebody from the outside?

Several years ago, a small tribe in the Northwest lacked interest in having their tribe get on the Internet. However, the woman on the tribal council rode a big Harley, and it was broken. The woman said it was a 3-day affair to load up the bike, take to Seattle, wait for it to be fixed and drive home again. A staff person said: "I get on the Internet. Somebody can tell you how to diagnose that problem, how to get the parts, and how you can fix it or get someone to help you". Within 15 minutes, the council woman had all she need to know to fix the bike." Well, the power of the Internet won the day, and the woman became an advocate. You need to make technology relevant to someone's life. In a nutshell, technology does not sell its self. You need to relate it somebody's life. Telemedicine applications for example can be used to save diabetic' eyesight and reduce amputations. That service would greatly benefit the Indian community.

UNIDENTIFIED ATTENDEE: I would like to know who the people are out there that could help tribes develop a utility code and give them information about problem areas or things to watch out for.

MS. HANSEN: What needs to be developed is a uniform telecommunications utility code.

MS. YAWAKIE: Gregg Scott of the Minnesota Utility Commission and Gloria Tristani came here to meet with us from the national state utility commissioners meeting. That's the kind of forum that would enable the tribal nations throughout the United States to start to establish that direct relationship with the FCC.

UNIDENTIFIED ATTENDEE: Did you mention that is happening right now?

MS. HANSEN: It is happening right now, but maybe what we need is a document that could be a graduated code. I think there needs to be something accompanying that. What do you do if you're a small group of 300 people, versus the Navajo Nation? So this is a minimum type thing that you need to do, and then that may be ratcheted up for your own needs.

UNIDENTIFIED ATTENDEE: I would mention that funding is important, and we're looking at starting a utilities authority, but we're going to be looking for the money to get this off the ground so that it is eventually self-sustaining, but the utilities commissions are not in the business of making money. One thing to look is getting Bureau of Indian Affairs surplus money. Just like our tourism money. They were able to make that dedicated authority. You need the dedicate authority. I would encourage you to incorporate this utility code into your law and order code. We can provide you with information about the whole process we went through. Unfortunately, with ours it took a little bit of time. You have to have public hearings and publish notices and everything.

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MS. HANSEN: We've been sitting here in the cold today, and we're going to go home with colds from the air conditioning. It looks like maybe what we should do now is take the last questions from the people that have their hands up and then have Madonna read through the list of topics that came up in our discussion.

MS. YAWAKIE: And I'm looking for some people that haven't raised their hands, some of the people that didn't offer input on things. I know that everyone has something to contribute, and we hope that you will do so.

UNIDENTIFIED ATTENDEE: In talking about applications, I would like to see an actual system here with hardware. On my way to this conference, I had a meeting at the airport in Dallas. I actually saw a telemedicine demonstration on a laptop there, and I saw the actual system working. So it would be very good to have the hardware and have a small system set up. That's something that would be easy to do.

UNIDENTIFIED ATTENDEE: It would be nice if we had a website.

MS. YAWAKIE: We do have a website site. How many have of you have seen it? Our website is out there. We would like for it to be a living website site. So that is going to mean some work, and I'm looking at the one who did the work.

MS. HANSEN: Madonna's better half.

MS. YAWAKIE: So we've supported each other, and we want it to be a living document. So we hope you're looking at the website periodically to see if there are some new things. If you have feedback, send it to us on E-mail. If you want it to be anonymous, maybe just put your tribe on there.

We can accommodate it so it's not in your name. You don't have to be identified, but we'll start to put this together. We would be willing to do that.

UNIDENTIFIED ATTENDEE: If we have regional or national meetings, wouldn't it be good to have it on the reservation? Telemedicine is great because we can come right there into your area and convince tribal leadership about it to prove that it can work on the reservation. Because a lot of our tribal leaders can see it work here, and they say: "So what? That's Albuquerque. It hasn't been demonstrated that it's going to work on the reservation."

MS. HANSEN: In May, the Navajos held such an event on healthcare.

UNIDENTIFIED ATTENDEE: You mentioned about regional versus national. I just want to point out that with regard to the attendees, 30 percent are from the Pacific Northwest.

MS. YAWAKIE: Good morning, and welcome, everyone. And we're glad you're here. This morning, we have Gloria Tristani with the Federal Communication Commission, who is going to be speaking, and Sandra Begay Campbell, who is going to make introductions for her.

Sandra is the Executive Director of the American Indian Science and Engineering Society, and we're so glad she could be here with us this morning to attend the last day of our workshop and get a sense of what the MN AISES Professional Chapter is involved with and working to address in the area of tribal telecommunication advancement.

I'm glad Sandra is here, we welcome her. Sandra is going to open our session with a prayer. So if everyone would stand.

MS. BEGAY CAMPBELL: With all of our AISES events we always open up with a prayer. *Dear Heavenly Father, we thank you again for all that you have given to us, including safe travel for all the people who are in attendance. We thank you so much for the food and the rest that we were given in the past days, and we thank you again for all the energy, and the work that we have to do. Thank you so much for all the jobs that we currently have, and help us with the challenges ahead, as we hear information to help Tribes improve the communications within their Nations. Please open up our minds today, as we really think about what needs to be done, and help us to formulate plans for future activities with regards to telecommunications. Again, we thank you for all the work that you've blessed us with, and all the gifts that we've been given. Help us to utilize those in the work that we have ahead. Thank you.*

I'm very excited to be here this morning, and be a part of the participation of the workshop. The American Indian Science and Engineering Society is celebrating its 20th anniversary this year.

It started back with a few handful of American Indian engineers. They intended to start the society out as a professional organization, but they soon found out that there were very few to draw on, so they changed the emphasis of what they wanted to do originally to then grow their own.

They began to look at different areas of education where we weren't getting as many students getting through college, but yet, I think another problem was communicating through the tough disciplines of engineering and science.

So, their emphasis had then changed to be more of an educational society, and I think in the last 20 years, we've done a great job.

There's more to do, and we continue to feed that pipeline of students, starting in the elementary school age, to get them interested in science, to encourage them through their high school years to stay with science, and also to think that engineering or science is a cool field to get into, because there's a great need for them, in Indian Country.

AISES encourages and supports college students with scholarship monies and internships, where they can actually have funding to continue school and practice in a summer job, all the way through graduation.

We offer many companies that are our friends, to get students jobs, and get them into the workplace. And then, finally, our growing need is to then nourish our professional members, because their skills are so needed within reservations and work areas, like what you see during this workshop.

So I feel that this is a great way to now connect some of the things we've been doing in the last 20 years, to now a new future of where we need to really practice what we've learned, and really try to see what the needs are, and to make sure there's a good match and do this for the benefit of Indian people.

I'm the Executive Director of AISES, and I've been on the job for four weeks, so I'm very proud to take time to come here and really find out how the workshop has been going. We really want to support our professional chapters, and I see that as a growth area for AISES.

Just in brief, we'll be celebrating our 20th anniversary in Denver, Colorado, at the beginning of December, and if you're interested in that, we have a web site, so that you can check out information about AISES and the upcoming National Conference at [<http://aises.uthscsa.edu>].

There are some major changes going on within the AISES organization, and if you're interested, you can keep in communication through our web pages.

Also, if you have any questions for me, I'll be more than willing to answer those for you.

But on to the business at hand. This morning we're honored by having a special guest with us, Gloria Tristani. She serves as a Commissioner on the Federal Communication Commission and she was nominated for that post by the President, Bill Clinton, and confirmed by the U. S. Senate.

At the FCC, Commissioner Tristani is committed to carrying out the pro-competitive policies of the Telecommunication Act that ensures that all Americans are able to enjoy the benefits of telecommunications, and ensure that revolution that's going on now.

In this regard, one of her primary goals at the FCC is to preserve and enhance the universal service, in order to ensure that telecommunication services remain affordable and accessible for all Americans.

Another goal is that small businesses, women, and minorities have the opportunity to participate in the provisions of this broad-based service.

Commissioner Tristani received her law degree from the University of New Mexico in the School of Law, and her undergraduate degree is from Barnard College at Columbia University. She is a member of the New Mexico and Colorado bars, and she was an attorney in a private practice here in Albuquerque prior to her service with the State Commission.

She is a resident of New Mexico since 1982, and has since moved to Washington, DC, to serve out her appointment, but she still considers New Mexico a home, just as I do. And she is married and has two children.

So, we're excited to have her come and speak to you today, and hopefully, we'll hear some of the issues, and maybe some of the needs and how we can work within the Federal guidelines to serve Indian people.

COMMISSIONER TRISTANI: Thank you, Sandra, for that very kind introduction. It's a pleasure to know that you're also a New Mexican.

I want to thank you very much for inviting me to be here today. It's a double bonus for me. First, it gives me the opportunity to be away from Washington, which I'd highly recommend to anyone who works in government there. Second, it gives me the opportunity to be in my home state, New Mexico, and my home town, Albuquerque.

And it's particularly important to me that I have an opportunity to discuss with you a topic I care a great deal about, and that is telecommunication services to Native Americans.

I am well aware of the challenge of cultural and geographic isolation. The issues stimulated by high unemployment and low-paying jobs, and of the need for more and better education.

I'd like to begin by describing the importance of telecommunications to all Americans, and how it can improve the quality of life everywhere, including Indian Country.

First, there are the baseline benefits of telecommunications, such as maintaining an instant connection to medical and other emergency personnel.

Being able to stay in touch with far-away family and friends is important, and sometimes priceless, and having basic telephone service enhances employment opportunities simply by permitting the employer and job seeker to communicate conveniently.

It also gives us access to the Internet in our schools, classrooms, and libraries, where children are learning, and teachers are instructing with the modern tools of information technology.

I also want to stress that a solid telecommunications network, whether owned by a Tribal reservation or by an established phone company, better qualifies an area to become a job center.

It's safe to say that businesses are very unlikely to locate in an area where telecommunications infrastructure is spotty or non-existent. Today, one of the things that spurs State governments to encourage competition among local telephone companies is the understanding that competition will result in better service at lower prices. Having modern competitively-priced telecommunication service is one way States compete with each other to attract businesses to locate there.

If there's one message I'd like to convey to you today, it's that telecommunications networks are not just conveniences for Tribes, but necessities. If Tribes want to enable businesses to operate on Tribal lands, they must seek out ways in partnership with industry and government to get more infrastructure deployed on reservations.

The benefits of a better quality of life will easily outweigh the effort it takes to get better networks out there. As telecommunications gets use for more and more things, including Internet, the greater the value it has to Tribal societies and citizens as a whole.

In my view, as telecommunications becomes more integral to daily life, people who lack access to telecommunications pay a greater and greater price. That is why I'm concerned when I hear that Native Americans' access to telecommunications lags so far behind the rest of the United States populations.

Since this is the third day of this workshop, at least one speaker has undoubtedly cited the 1990 census data on telecommunications on Indian reservations, but since it is so striking, I think it bears repeating. On reservations containing at least 500 households, only 47 percent have telephone service. This compares to approximately 94 percent telephone penetration in the United States as a whole.

These numbers are alarming to me, given the role telecommunications plays in most people's lives. What I'd like to know is the cause of those low penetration numbers. I'm told that on some reservations, telephones are not as much a part of Indian culture as in the rest of the United States. Having grown up in a home with a telephone, I'm naturally accustomed to having telephone service, but I would never dream of not having a phone in my home. For people who grow up in a house without a telephone, expectations may be different.

I am certainly not here to tell Indian people, or any other people, for that matter, that they really ought to have a telephone. I am here to say that it's not acceptable for there to be 47 percent telephone penetration on reservations held in trust by the Federal government if far more Native Americans on those reservations actually want service. And I strongly suspect that that is the case, and that's where I think the Federal Communications Commission comes in.

There are a number of things the FCC should be doing, and under the leadership of our chairman, Bill Kennard, I am hopeful that we can improve access to telecommunications among Native Americans. Three weeks ago, Chairman Kennard and I hosted a roundtable discussion among Native American representatives and key FCC personnel to discuss how to get this process started. We received a number of thoughtful ideas and suggestions that are now being actively explored.

In the short term, I think there may be a few things that can be done. One is to see whether there are LATA boundaries that divide reservations and make a short distance call a toll call. If there are, I believe the FCC ought to grant a waiver of those boundaries so we don't artificially increase the cost to Native Americans of using basic local service.

I also believe that the FCC needs an Indians Affairs desk. That is why I'm very pleased that Chairman Kennard has asked Eric Jensen to fill that role on an acting basis. I know that Eric shares my commitment to improving Native Americans' access to telecommunications. I am also convinced that it will be extremely valuable for the FCC to have someone who is knowledgeable on both Indian law and telecommunications law.

I have to be very frank with you. The FCC knows a lot about telecommunications law, but it has a lot to understand where Indian law is concerned. That relationship between Federal law, Tribal law, and State law is complicated. I suspect it's often neglected by people establishing communications policy in Washington, because the learning curve is so steep. Having someone to fill this role full time at the FCC will be a major asset to the Native American community, and to the FCC.

Of course, not even a full-time expert on telecommunications law will have an impact until we know more about the scope and cause of the problem. That is why I strongly favor opening a proceeding at the FCC devoted solely to improving access to telecommunication services on reservations.

A **Notice of Inquiry (NOI)** by the FCC would be a good vehicle for us to gather more information about the landscape today. For instance, although 47 percent of households on reservations had telephones in 1990, it's important to know what percentage of homes on reservations actually have service available today, 1998. If we find out through the NOI that only 50 percent of homes even have lines running to those houses, then it would be clear that infrastructure deployment is a major impediment.

But if we are told that telephone lines actually run to some of the homes, to a high percentage of the homes, then the low penetration rate has a more complicated cause. Maybe it lies in income, cultural or governmental disparities between Native Americans and the rest of the population. Or it may be due to not being accustomed to having a telephone, so it's not high on the priority list, particularly when there are larger fundamental problems with things like decent housing and basic healthcare. So, I think the FCC needs to open an inquiry on this topic and see if we can't get some hard data on the causes of the low penetration rates on reservations.

At that point, we will have a basis to undertake serious long-term policy steps to do what Congress told the FCC to do, which is to bring telecommunication service, including advanced services, to all Americans.

Another aspect of FCC involvement is disseminating accurate information about telecommunication service on reservations.

One part of this is to challenge conventional wisdom. For instance, there is apparently the perception that Native Americans on reservations are not interested in having telephone service. Too often, entrepreneurs dismiss the idea of bringing service to reservations as an automatic money-losing proposition.

We could start by gathering data on Native Americans' attitudes towards telephone service through the NOI, I mentioned. My hunch is that the vast majority of Native Americans really want telephone service, but are prevented from obtaining it for reasons that may not be readily apparent to the non-Indian world. Publicizing the true market demand, if it's really there, is a valuable role for the government. This could provide industry, including those of you in the room today, with a sense of confidence that the demand for service on reservations may well justify network investments there.

Yet another aspect of FCC involvement might be for the FCC to act as a clearinghouse for information about financial support mechanisms that exists for companies to go in and build networks, or provide services on reservations.

There are things like programs run by the Rural Utilities Service, the Telecommunications Development Fund, and the Small Business Administration.

I also know that various State Public Utility Commissions have supported the provision of service to Tribal lands in many ways.

It's important for carriers, or would be carriers, to know what is available from government programs. That could make the difference in deciding whether to serve a reservation or not.

One final area where the FCC should focus its attention is on the universal funding and the 25/75 issue. As you may know, the FCC is in the process of changing how universal service support is collected and distributed. This has major implications for individual carriers, States, and Tribes.

In theory, it should be a good thing for reservations, because Federal support will be targeted to smaller areas than it is today. Given the extreme remoteness of many reservations, the targeting of support to smaller geographic areas should help ensure reservations are not shut out of funding just because they're located in a state that overall has an average or below-average cost.

The reason that I say in theory it should be good for Tribes is that presently, a significant percentage of support for high-cost areas is the responsibility of States, and not the FCC. Some have said that a State, in some cases, might decide not to supply its portion of support because the money would go towards supporting another sovereign entity.

I am, even now, making myself better informed on the specific legal relationship between reservations and State Commissions, but I can say that I will work diligently to have States and Tribes reach agreements and work together on these issues, regardless of the legal specifics.

The FCC is not the only player in helping to bring the telecommunications to reservations. As I mentioned before, the other is the State Public Service Commissions.

I know experts in Native American law who even have trouble when it comes to analyzing telecommunications law in the context of service to reservations.

As a former State Commissioner myself -- as you mentioned, before going to the FCC, I was on the New Mexico State Commission -- I can tell you that the State Commissions can be a powerful ally in the effort to improve universal service to reservations.

I do recognize that there have occasionally been tension between some Native American Tribal governments and States, but I would strongly encourage those of you interested in improving the situation on reservations to make an effort to develop a productive relationship with State government officials and State Public Service Commissions, and in ways that serve your mutual interest.

Along those lines, I was very pleased to see that this workshop has already had a panel that included Commissioner Greg Scott of the Minnesota PUC. I know that he's already left, and I think we crossed in the air.

That's the kind of dialogue and outreach I think will serve Native Americans very well when it comes to access to telecommunications.

As you build your relationships with State Commissions, the FCC should also take a look at how other Federal agencies have worked with Native Americans.

I know, for example, that the Environmental Protection Agency has recognized Tribes as entities, just like States, and has generally preempted State regulation of Indian lands on environmental issues. We would really benefit from learning whether the model has worked well or not.

As a former State Commissioner, I am predisposed to favoring a cooperative approach to solving the problem of Native American access to telecommunications, but I am interested in learning about the experience of other Federal agencies on matters affecting Native Americans.

Before I close, I'd like to commend the Minnesota Chapter of the American Indian Science and Engineering Society for sponsoring this workshop. I am truly impressed by the practicality of the panels you assembled for this workshop.

That is exactly the kind of information exchange that needs to take place between Tribes, the industry, and government officials, as we approach this telecommunications challenge together.

And I'm also glad that you've asked another FCC representative to speak. I understand Amy Zaslov of our Wireless Bureau will be addressing you next, and she will undoubtedly share with you her expertise in the field of wireless, which I think should be key and important in helping deployment of access to Native Americans.

Finally, I want to reiterate my, and the FCC's commitment to ensuring that Native Americans have more and better access to telecommunication services.

Thank you very much. I would be happy to -- I don't always like to say this, but to answer questions, if you have any. Yes?

MR. NEISS: Yes, my name is Ronald Neiss from the Rosebud Sioux Tribe. I serve on the Rosebud Sioux Tribal council and the Rosebud Utilities Commission. I'd like to commend and thank you for being here at this gathering.

Eric Jensen was at a telecommunication conference sponsored by the Rosebud Sioux Tribe in June 1997, so he's starting to become more aware and tuned into Indian issues; and sensitive to our sovereign and jurisdictional rights, so I want to relay that.

Many Indian people can't afford a phone. That basic service is unaffordable when you have reservations like ours, where the unemployment rate is about 75-80 percent. Something the non-Indian thinks is real affordable, while other minorities, like Indian people just can't afford a phone.

My house has one of three phones that exist in a neighborhood of 30 households. So mine is the neighborhood phone, particularly around festival time, which I call the first of the month. Everybody calls the ambulance, the police, and -- so, those are life-threatening situations, and if I'm not home, you know, I feel bad, because they have less access to a phone, and the nearest phone is a pay phone. Those are hard to come by, also.

Also, at the round table, Pat Spears and Robert Gough did attend. They did not address the issue of the Rosebud Sioux Tribes applying for an FCC license for cellular phone because it was an inappropriate time.

But right now, our license is in limbo. Two years ago, the Tribe passed a resolution. We do assert jurisdictional rights over the airways. A Nebraskan company, which has changed its name several times, objected and the FCC put our license on hold.

Some council members and others say maybe we don't need the license, because of our jurisdictional -- sovereign rights. But we said well, let's not think of it that way. Let's look at the spirit of cooperation. Look at the '94 Executive Order from President Clinton which provided by Executive Order that agencies work with Tribes on a government-to-government basis.

We had officials from the Department of Energy that came to an energy conference recently. We had a ceremony and cultural events in the evening -- pow-wows, singing and dancing. They were amazed. I think they were humbled.

I think they didn't know Indians existed anymore, some of these people, because I think that's the first time they had seen Native American people in their own environment, other than on the television, and you get that from Washington, DC, folks sometimes.

You seem to be sensitive to our needs. The Oglalas [Pine Ridge] and Rosebud Sioux are in the top ten of the poorest counties in the United States -- first and third ranking. We have to take humor in misery, and we always say we're going to beat that. You know, we're going to be number one.

But with poverty, you have to at least see there's some hope. But we want to at least get beyond the point of being number ten, to the number 11th or 12th. Pretty soon maybe we'll be the 100th.

I think telecommunication is the area we're looking toward, but I ask that you look at the issues by our Tribe, the Rosebud Sioux tribe and the Nebraska cellular phone company.

COMMISSIONER TRISTANI: And I will look at that, sir, as soon as I get back to Washington.

MR. NEISS: Thank you.

MR. GARCIA: Joe Garcia, San Juan Pueblo, Tribal councilman, former Governor. I just want to point out that it's important to realize that when you do the data gathering to determine cause, because of the numerous, numerous Tribes that are out there, and the numerous, numerous reservations, it could be a number of different causes, depending on where -- what region you're at, what reservation you're on.

And what I hope doesn't happen is too much generalization upon what the causes are, by sampling a few Tribes. And I think that that's what's led to some problems in the past.

You know, for instance, gaming. The thing about Indian gaming, they automatically go to the Pequots, and we all know that Indian gaming is not that way.

So in this case, it's just important to do the adequate sampling -- if you're going to do random sampling, approach it that way, but the better thing would be to approach each and every reservation and each Tribe. And I realize that there's 570-odd Tribes, and that's pretty hard to do, but that's the only way that we can really get to the problems.

COMMISSIONER TRISTANI: And I think you're absolutely correct, because only if you can do a significant enough sample that's specific —

MR. GARCIA: Right.

COMMISSIONER TRISTANI: As a matter of fact, yesterday in TIA, and I think you might have had a representative from the Department of Commerce speaking, and I'm not sure they talked about their latest study on phone penetration, which actually is very interesting and good, and talks about rural, non-rural, Whites, Hispanics, Blacks, and then it has "other Americans" jumped together. And there's a footnote about we couldn't do comprehensive disaggregation about Native Americans, so we can't tell you anything new.

So, we're still relying on the 1990 data, and I'm well aware that there are a lot of similarities between Tribes, and there are also a lot of differences. We'll be very careful when we do that.

MS. FLOWERS: Maryann Flowers, AT&T Alaska. I'm from Anchorage, Alaska. Mr. Kennard was up in our state it was last month, traveling around. Did he perhaps share with you his thoughts and concerns for the state of Alaska?

COMMISSIONER TRISTANI: It was an eye-opener for Bill Kennard, because although he's originally from California, he's been in Washington for the last 20, 25 years, and had never traveled in anyplace even remotely similar to Alaska.

And he's actually been thinking a lot already about the problems specific to Alaska, because it's so huge, and Native American issues.

I really commend our chairman. I don't want to go overboard here saying he's doing a great job, but he, who did not start out with an understanding of Indian Country, has taken it upon himself to do something about it, and he is very committed. And to have a chairman committed means that we're going to do things. Yes?

UNIDENTIFIED ATTENDEE: I just wanted to add that in our meeting a couple weeks ago, he had talked about the visit to Alaska, and said that it was very much an eye-opener and explained some details of it.

MS. FLOWERS: Right. Because they call it the bush. And I mean it's like no running water, and phones are just not even a thought. They use what they call Cosa talks. Pre-paid cards.

COMMISSIONER TRISTANI: We have areas like that in New Mexico, yes?

MS. YAWAKIE: We'll take two more questions.

MR. WILLIAMS: JD Williams, General Manager from the Cheyenne River Sioux Tribe Telephone Authority in Eagle Butte, South Dakota. Also the co-chairman of National Tribal Telecommunication Association that had met with you at the roundtable.

One important fact is that, and I know that you realize that, but I don't think that we from the telephone companies in Indian Country can say enough about the need for the universal support for our areas, and anything less than what is in place now will drive those penetration rates even further from the Native Americans.

And I know that you understand that, but as the other players from the urban areas become in deciding how the universal service rates are determined for America, we need to support the people who understand that, because otherwise we'll be left out. And then, in a few years, instead of the penetration rate being 47 percent, it might be 35 percent. Because in the area that we're in, without universal support, that would probably drive – instead of 15.50 per month, the local rate might go up to \$50 to \$70 per month. And without that, our people on our reservation will not be able to afford telephone service. Thank you.

COMMISSIONER TRISTANI: Thank you. I just want to say, again, thank you. And also, I wanted to let you know that I realize that you're here because you care and you're involved in these issues. Keep in touch with the FCC. Keep in touch with my office, if you have particular concerns or general concerns, and when we do open a notice, or start to act on these issues, participate in filing comments, to the extent you can. We need to hear more information from you.

Someone mentioned Pat Spears, and he was involved, has been involved in some of our meetings in Washington, and we're getting a lot of good information out.

As I told a group when we met three weeks ago, it's a two-way street. The Tribes and Native Americans need to know what's out there, what the FCC can do, but the FCC needs to get well-educated about the needs of the Tribes, and actually, about Indian Country in general. It's not that it hasn't been on the priority list. It's just that it's a difficult area and has issues that people are starting to learn about. But we are committed to doing that. We are committed to acting, to doing something to change those penetration rates. And – we need your help. Thank you.

MS. YAWAKIE: Thank you very much, Gloria Tristani. We're glad you're here. I'm going to hand you a notebook, and that's a complete one. You're the only one that had a complete one to start with. And in particular what we'd like you to pay attention to are some statistics that RUS put together for the Tribes that own and operate their own telephone companies. And the penetration rates are much less than the 47 percent you indicated.

Also, we had a break-out session yesterday which involved all of the participants, or most of the participants, and it identified some of the things that need to be done which the FCC is currently doing, like the notice of inquiry, and also the sessions that will be held throughout Indian Country.

COMMISSIONER TRISTANI: Yes. Field hearings.

MS. YAWAKIE: We appreciate you being here, and thank you so very much.

COMMISSIONER TRISTANI: Thank you.

MS. YAWAKIE: And thank you very much, Sandra Begay. We appreciate you being here also.